



**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of  
Implementation of Section 621(a) of the Cable Communications Policy Act of 1984 as Amended by the Cable  
Television Consumer Protection and Competition Act of 1992

MB Docket No. 05-311  
FCC 18-131

**THE LEAGUE OF WOMEN VOTERS OF MASSACHUSETTS  
EX PARTE COMMENTS**

The League of Women Voters of Massachusetts (LWVMA) respectfully submits these ex parte comments regarding the Second Further Notice of Proposed Rulemaking (FNPRM) released by the Federal Communications Commission (FCC) on September 25, 2018. In the FNPRM, the FCC tentatively concludes that all cable-related in-kind contributions given as part of a cable TV franchise agreement should be treated as franchise fees and subject to the 5% statutory cap. The LWVMA urges the FCC not to adopt this tentative conclusion. It is not in the public interest as it will reduce the financial ability of public, education, and government (PEG) access providers to offer local video services to organizations like the LWVMA, its local Leagues, and the communities they serve.

The LWVMA is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The LWVMA, in partnership with its 47 local Leagues across Massachusetts, acts to inspire good government and transparency so that government is responsive to the needs of the people.

A key example of an in-kind contribution that would be affected by the FCC's tentative conclusion are the PEG channels that cable TV operators provide to towns and cities as part of their cable TV franchise agreements. The cable TV operator (like Comcast, Charter, or Verizon) typically dedicates and sets aside certain cable TV channels for the local PEG access provider to offer video production classes and to create and air local TV programs. These programs include coverage of town select board and city council, school committee and finance committee meetings, town meetings, public hearings, school sporting events, cooking shows, and Council on Aging information programs for seniors. Broadcasting our local government meetings provides citizens with greater access to their government and promotes governmental transparency.

LWVMA and our local Leagues rely on PEG services for many types of public information programs, particularly candidate forums for local elections, Civics Bees, and public forums on a wide range of issues from education to health care to town services to many other public issues. With the widespread cutbacks in local newspapers, League candidate forums usually provide the only chance for voters to see and hear candidates in local races, and those candidate forums are extremely popular on local access channels.



Including the values of PEG channels, and PEG channel capacity, as part of the 5% cap on cable TV franchise fees would cripple many local access TV networks; this, in turn, would impact the ability of local PEG access providers to broadcast public meetings and would impair the ability of Leagues to provide programming such as candidate debates and public issue forums.

Several local Leagues have filed comments in this docket, all of which oppose the tentative conclusion on cable-related in-kind contributions, and the state League joins in their opposition. Comments opposing the tentative conclusion have been filed by Massachusetts Senators Edward Markey and Elizabeth Warren, as well as by various Massachusetts cities and towns and local PEG access stations. All of these commenters, together with the LWMVA, encourage the FCC to refrain from actions that would reduce PEG funding and result in a less-informed citizenry.

For these reasons, the League of Women Voters of Massachusetts strongly opposes the tentative conclusions in the FNPRM and encourages the FCC not to adopt the proposed changes.

Respectfully submitted,

League of Women Voters of Massachusetts  
by: Mary Ann Ashton, President

90 Canal Street, Suite 414  
Boston, MA 02114

[www.lwvma.org](http://www.lwvma.org)

Phone: (857) 452-1715

June 27, 2019